

REMARKS/ARGUMENTS

This amendment is submitted in reply to the Office Action dated March 24, 2006.

A petition for a one month extension of time is submitted herewith.

Examiner has objected to claims 2 and 17. Applicants have amended claim 2 to state that "b is 4 to 16". Applicants have amended claim 17 to recite that "said silicone further comprises an O₂Dk" within a specified range. Since the silicones may have many properties, the use of comprising language is believed to be appropriate. Withdrawal of the claim rejections is respectfully requested.

Examiner has maintained the objections to claims 1 and 75, stating it is not clear what "less than about 0.1 to no more than about 0.3" refers to. Claims 1 and 75 have been amended to state a "tan δ of a silicone hydrogel to no more than about 0.3". Support for this amendment may be found in the original claims. Applicants submit that this amendment has traversed the Examiner's rejection. Withdrawal of the objections is requested.

Examiner has rejected claims 1-21, 23 and 75-78 as anticipated under 35 U.S.C. 102(b) by Spinelli (US 5,314,960). The sections cited by Examiner disclose the silicone monomers which may be incorporated into the macromonomers, graft polymer and acrylic star polymers which are disclosed in Spinelli. Spinelli at column 9, lines 27-42 discloses that the macromonomers, graft polymer and acrylic star polymers are combined with a "substantially hydrophilic matrix comprising a mixture of monomers. Lines 41-42 of Spinelli disclose that the monomers may include polysiloxanyl esters, however no structures for the polysiloxanyl esters are given, and mono-alkyl terminated polydiorganosiloxane monomers having the structure recited in claim 1 of the present invention are neither disclosed or suggested. Moreover, Spinelli discloses that TRIS is a preferred monomer for making the macromonomers, graft polymers and acrylic star polymers. However, TRIS is outside the formula recited in claim 1 because R₅₉ is a monovalent alkyl, or aryl group, which may be further substituted with alcohol, amine, ketone, carboxylic acid or ether group. Also, as shown in Example 21C, the use of TRIS *increased* the tan δ. Accordingly, since Spinelli is silent as to the inclusion of a mono-alkyl terminated polydiorganosiloxane monomers and lowering Young's modulus, and the preferred monomer disclosed by Spinelli (TRIS) increases tan δ, Applicants respectfully submit that the claims are novel over Spinelli.

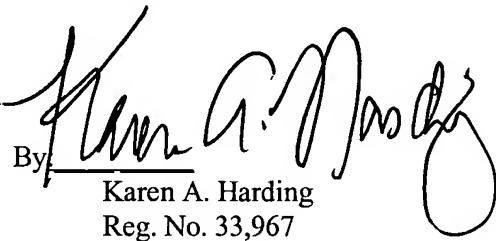
Examiner has further rejected claims 1, 6-16, 21, 23 and 75-80 as anticipated over Lai (WO 93/09154). (Examiner used column and line number references to US 5,486,579. Applicants do so as well in this response). Applicants have amended claim 1 and 75 to recited that "b is 4 to 16". None of the bulky polysiloxanyl (meth)acrylic monomers disclosed in Lai have 4 to 16 repeating dialkyl siloxy groups as recited in claims 1 and 75 as amended. Accordingly, Applicants submit that the rejection based upon Lai et al. has been traversed.

Examiner has further rejected claims 1, 6-16, 21, 23 and 75-80 as anticipated over Yokoyama (EP 461,270). EP 461,270 also does not disclose any silicone compounds having 4 to 16 repeating dialkyl siloxy groups as recited in claims 1 and 75 as amended. Accordingly, Applicants submit that the rejection based upon EP 461,270 has been traversed

Examiner has further rejected claims 1, 6-16, 21, 23 and 75-80 as anticipated under 35 U.S.C. 102(b) over Vanderlaan (EP 940,963). Vanderlaan was published on August 9, 1999. The present application claims priority back to US Serial No. 09/532,943, which was filed March 2, 2000. Vanderlaan was not published more than one year prior to the filing of the present application. Accordingly, the present claims are not anticipated by Vanderlaan under 35 U.S.C. 102(b).

Applicants respectfully submit that the foregoing amendments and arguments have traversed the Examiner's rejection. Early allowance of the claims is respectfully requested.

Respectfully submitted,

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Dated: September 7, 2006